

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK
AUTHORIZING AN EMERGENCY CONTRACT
TO J.FLETCHER CREAMER & SON
TO REPAIR THE SANITARY SEWER PIPE AS PART OF THE MILE RUN
IN THE VICINITY OF 127 GEORGES ROAD**

WHEREAS, the Sewer Division under the Department of Public Works is responsible for providing maintenance and repairs to the municipal sanitary sewer system; and

WHEREAS, on April 25, 2013 the Sewer Division identified a 3-4 foot piece of 24" in diameter ACP pipe in the Mile Run Interceptor in the vicinity of 127 Georges Road had collapsed and notified the Director; and

WHEREAS, Glenn S. Sandor, the Director for Department of Public Works counseled with the Business Administrator; and

WHEREAS, due to the nature of the event immediate action was necessary and an emergency was declared by the Director; and

WHEREAS, on May 6, 2013 the Township Council of the Township of North Brunswick approved Resolution 137-5.13 authorizing an agreement with J. Fletcher Creamer & Son, Inc for Sewer Collection System Maintenance and Repair BID13004 in an amount not to exceed \$124,390.00 for a two year term; and

WHEREAS, the extent of remediation required exceeded routine maintenance and repairs J. Fletcher Creamer and Son, Inc. covered under the contract and the company was engaged to provide emergency services outside the terms of contract BID13004; and

WHEREAS, J. Fletcher Creamer and Son, Inc. provided an estimated amount of \$131,735.00 to provide necessary services for the repair and cleanup of the damaged area; and

WHEREAS, J. Fletcher Creamer and Son, Inc. began work on April 25, 2013 and concluded the extent of the work on May 7, 2013; and

WHEREAS, upon completion of work including necessary expansion of services rendered J. Fletcher Creamer and Son, Inc. submitted invoices totaling \$193,855.51; and

WHEREAS, the Chief Financial Officer has certified that funds in the amount of \$193,855.51 have been made available for this purpose in Sewer Capital 11-17 account C-08-55-C12-117-101; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-6) states that any contract may be negotiated or awarded without public advertising for bids when an emergency affecting the public health, safety and welfare has been declared; and

NOW, THEREFORE, BE IT RESOLVED on this 1st day of July, 2013, that the Township Council of the Township of North Brunswick does hereby authorize the Mayor and Clerk to execute an agreement and payment with J. Fletcher Creamer and Son, Inc. that provided necessary services for the repair and cleanup of the damaged area in an amount totaling \$193,855.51.

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as an "emergency contract" under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-6 since this contract is for services immediate and necessary and it was not necessary to obtain competitive bidding.

BE IT FURTHER RESOLVED that a copy of this action shall be published in the Home News & Tribune as required by law within 10 (ten) days after its passage.